

REMARKS

This is a full and timely response to the outstanding final Office Action mailed May 9, 2005. Upon entry of the amendments in this response, claims 1 – 47 are pending. In particular, Applicants have amended claims 1 – 3, 7, 14 – 16, 21, 25, 29, 34, 36, 38, 40, 42, and 47. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Claims 1 – 47 are Patentable Over *Majeti* in View of *Kawashima*

The Office Action rejects claims 1 - 47 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,534,913 to Majeti (“*Majeti*”) in view of U.S. Patent No. 5,181,911 to Kawashima (“*Kawashima*”). For the reasons set forth below, Applicants respectfully traverse the rejection.

General Remarks

The final Office Action sets forth a number of clarifying explanations with respect to the §103 rejection of claims 1 – 47 in view of *Majeti* and *Kawashima*. Although Applicants strongly disagree with the unduly broad definition that the Office Action equates with “logic to authorize the subscriber to access a second communications path” and “identification information” (*e.g.* as recited in claim 1), Applicants have made a number of clarifying amendments to each of independent claims 1, 14, 25 and 29 in the interest of expediting the prosecution of the instant application and obtaining early allowance. If it is believed that allowance of claims could be

achieved pursuant to further clarification, Applicants' attorney encourages the Examiner to arrange a teleconference with the undersigned to discuss any outstanding issues.

In the "Response to Arguments," the Office Action argues that the claim 1 limitation of "logic to authorize the subscriber" is broad and does not read over Majeti." (Office Action, pg. 2). The Office Action further alleges that "Majeti teaches the claim 1 limitation, 'logic to authorize the subscriber to access a second communications path' at Column 9, Lines 42 – 66, where Majeti discloses that when a request for a high definition picture is made, the request is analyzed and authorization by the control processor 48 is made, allowing the user to receive the high definition picture over the high bandwidth cable network instead of the PSTN network." (Office Action, pg. 2).

Accordingly, the Office Action apparently equates the claimed "logic to authorize the subscriber to access a second communication path" of claim 1 with the function of control processor 48 to "decode the total quantity of information to be transmitted" (col 9, lines 50-51) and determine "that sufficient bandwidth capacity is available for the picture information to be transmitted by cable distribution head-end 30N and cable 36." (Col. 9, lines 54-57).

As to the claim 1 recitation (before amendment) that the logic to authorize the subscriber to access a second communications path includes "comparing second *identification information* with at least part of the at least one database" the Office Action alleges that "Majeti teaches this limitation at Column 9, Lines 50 – 57, where the control processor 48 decodes the total quantity of information (the identification information) and checks its database and determining that the CATV transmission network must be used to transmit the data." (Office Action, pg. 3). Thus, so far as understood, the Office Action equates "identification information" with "the total quantity of information."

Applicants fail to see any correlation with “identification information” and a “total quantity of information.” However, despite Applicants’ disagreement with the Office Action interpretation, and without acquiescing to the argument, Applicants have clarified the phrase “identification information” in each of independent claims 1, 14, 21, 25 and 29. Specifically, each of independent claims 1, 14, 25 and 29 have been amended to replace the phrase “identification information” with “subscriber authentication information.”

Accordingly, once again, Applicants submit that *Majeti* discloses no more than has been previously disclosed in Applicants’ Description of the Relevant Art. Specifically, unlike Applicants’ two-tiered authorization and authentication systems and methods, *Majeti* apparently discloses only a single authorization sequence. For example, *Majeti* discloses that “the ETHERNET interface is also used to carry users’ messages to the processor, during session establishment (login) and tear down (logoff),” (col. 6, lines 15 – 17) and that “the database 96 contains system configuration data, equipment information, network addresses, session records, subscribers’ information, ESP information, authentication keys, and routing information.” (Col. 6, lines 17 – 20). This is apparently the sum total of the alleged authorization mechanism of *Majeti*. Any decision made by control processor 48 of *Majeti* relates only to “the total quantity of information to be transmitted” (col. 9, line 50) and the “bandwidth capacity” (col. 9, line 55) of a communications medium (and not to any “subscriber authorization information”).

Accordingly, Applicants acknowledge that *Majeti* apparently discloses two possible paths for return data (*e.g.* via PSTN network 24 and cable 36). However, even assuming, *arguendo*, that *Majeti* discloses authorization to access PSTN 24 as alleged, *Majeti* does not appear to perform any type of further “authorization” (or “logging in” as in claim 29) for the alternate path

“responsive” to a first authorization (or “level of service”) based on “second subscriber authentication information” as recited in independent claims 1, 14, 21, 25 and 29.

Accordingly, Applicants submit that *Majeti* can not disclose, teach, or suggest ***“logic to authorize the subscriber to access a second communications path responsive to the first communications path authorization, by comparing second subscriber authentication information with at least part of the at least one database”*** as recited in claim 1, ***“authorizing the subscriber to access the second communications path responsive to the first communications path authorization by comparing second subscriber authentication information with at least part of the at least one database”*** as in claim 14, ***“logic configured to authorize the subscriber to access the cable data network at the secure level of service responsive to the first level of service authentication information with at least part of the at least one database”*** as recited in claim 21, ***“authorizing the subscriber to access the cable data network at the second level of service responsive to the first level of service authorization by comparing second subscriber authentication information with at least part of the at least one database”*** as in claim 25, nor ***“logging into the cable data network at a second level of service responsive to logging into the network at a first level of service by sending second subscriber authentication information to at least one validation agent”*** as in claim 29.

In addition, *Kawashima* does not disclose, teach, or suggest (and the Office Action does not allege *Kawashima* discloses, teaches, or suggests) any type of authentication mechanisms as part of the described system.

Independent Claim 1

Independent claim 1 recites:

1. In a cable data delivery network for delivering digital data to a host location upon a subscriber initiated request, apparatus for authenticating that the subscriber is authorized to use said network, said apparatus comprising:

a network manager including at least one database of authorized users and a validation agent, said validation agent further comprising:

logic to authorize the subscriber to access a first communications path by comparing first subscriber authentication information with at least part of the at least one database, the first communications path providing at least a portion of connectivity between the host location and a head end of the cable data delivery network; and

logic to authorize the subscriber to access a second communications path responsive to the first communications path authorization, by comparing second subscriber authentication information with at least part of the at least one database, the second communications path providing at least a portion of connectivity between the host location and the head end of the cable data delivery network.

(*Emphasis Added*). Applicants respectfully submit that claim 1 patently defines over the proposed combination of *Majeti* and *Kawashima* for at least the reason that the proposed combination of *Majeti* and *Kawashima*, in combination with the knowledge of one skilled in the art, fails to disclose, teach or suggest the features emphasized in bold text above. MPEP §2143.03.

Specifically, neither *Majeti*, nor *Kawashima* discloses, teaches or suggests the feature of ***“logic to authorize the subscriber to access a second communications path, by comparing second subscriber authentication information with at least part of the at least one database”*** as recited in independent claim 1.

Applicants re-assert and re-allege (as discussed in the Amendment of November 2, 2004) that *Majeti* does not appear to disclose, teach, or suggest any type of authorization beyond the initial login to establish the initial two-way communication link between customer premise equipment 20 and the split channel bridging unit 18 over the public switch telephone network.

However, even assuming, *arguendo*, (and without acquiescing) that the proposed combination of *Majeti* and *Kawashima* discloses “logic to authorize a subscriber to access a second communications path,” claim 1 is patentable over *Majeti* and *Kawashima* for at least the additional reason that the proposed combination does not authorize the access “***by comparing second subscriber authentication information with at least part of the at least one database***” as recited in amended independent claim 1.

The Office Action apparently alleges that *Majeti* discloses the (previously) claimed feature of “comparing second identification information with at least part of the at least one database” in that *Majeti*, at col. 9, lines 56-66, discloses “*the control processor checks its database and determines that bandwidth capacity is available for the picture information to be transmitted by cable distribution head-end 30N and cable 36*” (*emphasis added*, col. 9, lines 54-57) and that “upon determining that sufficient bandwidth can be made available for this request, the control processor transmits command information to router 42 directing the router to transmit the packet along with additional packets containing related information via cable 44N to modulator 46N which modulates the data onto an RF channel on cable 28N. (*Emphasis added*, col. 9, lines 57-64). However, checking the database to determine “that bandwidth capacity is available for the picture information to be transmitted” is not equivalent at all to “***comparing second subscriber authentication information with at least part of the at least one database***” as recited in independent claim 1.

Accordingly, *Majeti* does not disclose authorizing a subscriber to access a second communications path “***by comparing second subscriber authentication information with at least part of the at least one database***” as recited in independent claim 1.

In addition, *Kawashima* does not disclose, teach, or suggest (and the Office Action does not allege *Kawashima* alleges, teaches or suggests) an apparatus for authenticating the subscriber is authorized to use a network including logic to authorize the subscriber to access a second communications path “by comparing second subscriber authentication information with at least part of the at least one database” as recited in claim 1. Rather, *Kawashima* does not appear to disclose any type of authentication mechanisms as part of the described system. Additionally, based on the disclosures of *Kawashima* and *Majeti*, one skilled in the art would not be motivated to make the proposed modification. Accordingly, the rejection to claim 1 should be overturned for at least this additional reason alone.

For at least these reasons, Applicants submit that independent claim 1 is allowable over the proposed combination of *Kawashima* and *Majeti*. Furthermore, because claim 1 is believed to be allowable, dependent claims 2-13, 33-34, and 43 are allowable for at least the same reasons.

Independent Claim 14

Independent claim 14 recites:

14. A method of authorizing a subscriber to access a first communications path and a second communications path, the first communications path and the second communications path utilized in conveying data between a head end and the subscriber of a cable data network, the method comprising the steps of:
authorizing the subscriber to access the first communications path by comparing first subscriber authentication information with at least part of at least one database; and
authorizing the subscriber to access the second communications path responsive to the first communications path authorization by comparing second subscriber authentication information with at least part of the at least one database.

(*Emphasis Added*). Applicants respectfully submit that claim 14 patently defines over the proposed combination of *Majeti* and *Kawashima* for at least the reason that the proposed

combination of *Majeti* and *Kawashima*, in combination with the knowledge of one skilled in the art, fails to disclose, teach or suggest the features emphasized in bold text above. MPEP §2143.03.

Specifically, neither *Majeti*, nor *Kawashima* discloses, teaches or suggests the feature of **“authorizing the subscriber to access the second communications path responsive to the first communications path authorization by comparing second subscriber authentication information with at least part of the at least one database”** as recited in independent claim 14.

Applicants re-assert and re-allege (as discussed in the Amendment of November 2, 2004) that *Majeti* does not appear to disclose, teach, or suggest any type of authorization beyond the initial login to establish the initial two-way communication link between customer premise equipment 20 and the split channel bridging unit 18 over the public switch telephone network.

However, even assuming, *arguendo*, (and without acquiescing) that the proposed combination of *Majeti* and *Kawashima* discloses “authorizing the subscriber to access the second communications path responsive to the first communications path authorization,” claim 14 is patentable over *Majeti* and *Kawashima* for at least the additional reason that the proposed combination does not authorize the access **“by comparing second subscriber authentication information with at least part of the at least one database”** as recited in amended independent claim 14.

The Office Action apparently alleges that *Majeti* discloses the (previously) claimed feature of “comparing second identification information with at least part of the at least one database” in that *Majeti*, at col. 9, lines 56-66, discloses “*the control processor checks its database and determines that bandwidth capacity is available for the picture information to be transmitted by cable distribution head-end 30N and cable 36*” (*emphasis added*, col. 9, lines 54-

57) and that “upon *determining that sufficient bandwidth can be made available* for this request, the control processor transmits command information to router 42 directing the router to transmit the packet along with additional packets containing related information via cable 44N to modulator 46N which modulates the data onto an RF channel on cable 28N. (*Emphasis added, col. 9, lines 57-64*). However, checking the database to determine “*that bandwidth capacity is available for the picture information to be transmitted*” is not equivalent at all to “*comparing second subscriber authentication information with at least part of the at least one database*” as recited in amended independent claim 14.

Accordingly, *Majeti* does not disclose authorizing a subscriber to access a second communications path “*by comparing second subscriber authentication information with at least part of the at least one database*” as recited in independent claim 14.

In addition, *Kawashima* does not disclose, teach, or suggest (and the Office Action does not allege *Kawashima* alleges, teaches or suggests) a method of authorizing a subscriber to access a first communications path and a second communications path including a step of authorizing the subscriber to access the second communications path “by comparing second subscriber authentication information with at least part of the at least one database” as recited in claim 14. Rather, *Kawashima* does not appear to disclose any type of authentication mechanisms as part of the described system. Additionally, based on the disclosures of *Kawashima* and *Majeti*, one skilled in the art would not be motivated to make the proposed modification. Accordingly, the rejection to claim 14 should be overturned for at least this additional reason alone.

For at least these reasons, Applicants submit that independent claim 14 is allowable over the proposed combination of *Kawashima* and *Majeti*. Furthermore, because claim 14 is believed

to be allowable, dependent claims 15-20, 35-36, and 44 are allowable for at least the same reasons.

Independent Claim 21

Independent claim 21 recites:

21. An apparatus utilized in authorizing a subscriber to access a cable data network at a first level of service and a second level of service, the cable data network providing connectivity between a head end and the subscriber, comprising:

logic configured to authorize the subscriber to access the cable data network at the first level of service by comparing first subscriber authentication information with at least part of at least one database; and

logic configured to authorize the subscriber to access the cable data network at the second level of service responsive to the first level of service authorization by comparing second subscriber authentication information with at least part of the at least one database.

(*Emphasis Added*). Applicants respectfully submit that claim 21 patently defines over the proposed combination of *Majeti* and *Kawashima* for at least the reason that the proposed combination of *Majeti* and *Kawashima*, in combination with the knowledge of one skilled in the art, fails to disclose, teach or suggest the features emphasized in bold text above. MPEP §2143.03.

Specifically, neither *Majeti*, nor *Kawashima* discloses, teaches or suggests the feature of “***logic configured to authorize the subscriber to access the cable data network at the second level of service responsive to the first level of service authorization by comparing second subscriber authentication information with at least part of the at least one database***” as recited in independent claim 21.

Applicants re-assert and re-allege (as discussed in the Amendment of November 2, 2004) that *Majeti* does not appear to disclose, teach, or suggest any type of authorization beyond the

initial login to establish the initial two-way communication link between customer premise equipment 20 and the split channel bridging unit 18 over the public switch telephone network.

However, even assuming, *arguendo*, (and without acquiescing) that the proposed combination of *Majeti* and *Kawashima* discloses “logic configured to authorize the subscriber to access the cable data network at the second level of service,” claim 21 is patentable over *Majeti* and *Kawashima* for at least the additional reason that the proposed combination does not authorize the access “***by comparing second subscriber authentication information with at least part of the at least one database***” as recited in amended independent claim 21.

The Office Action apparently alleges that *Majeti* discloses the (previously) claimed feature of “comparing second identification information with at least part of the at least one database” in that *Majeti*, at col. 9, lines 56-66, discloses “*the control processor checks its database and determines that bandwidth capacity is available for the picture information to be transmitted by cable distribution head-end 30N and cable 36*” (*emphasis added*, col. 9, lines 54-57) and that “upon determining that sufficient bandwidth can be made available for this request, the control processor transmits command information to router 42 directing the router to transmit the packet along with additional packets containing related information via cable 44N to modulator 46N which modulates the data onto an RF channel on cable 28N. (*Emphasis added*, col. 9, lines 57-64). However, checking the database to determine “that bandwidth capacity is available for the picture information to be transmitted” is not equivalent at all to “comparing second subscriber authentication information with at least part of the at least one database” as recited in independent claim 21.

Accordingly, *Majeti* does not disclose logic configured to authorize a subscriber to access the cable data network at the second level of service “***by comparing second subscriber***

authentication information with at least part of the at least one database” as recited in independent claim 21.

In addition, *Kawashima* does not disclose, teach, or suggest (and the Office Action does not allege *Kawashima* alleges, teaches or suggests) an apparatus utilized in authorizing a subscriber to access a cable data network at a first level of service and a second level of service including logic configured to authorize the subscriber to access the cable data network at the second level of service “by comparing second subscriber authentication information with at least part of the at least one database” as recited in claim 21. Rather, *Kawashima* does not appear to disclose any type of authentication mechanisms as part of the described system. Additionally, based on the disclosures of *Kawashima* and *Majeti*, one skilled in the art would not be motivated to make the proposed modification. Accordingly, the rejection to claim 21 should be overturned for at least this additional reason alone.

For at least these reasons, Applicants submit that independent claim 21 is allowable over the proposed combination of *Kawashima* and *Majeti*. Furthermore, because claim 21 is believed to be allowable, dependent claims 22-24, 37-38, and 45 are allowable for at least the same reasons.

Independent Claim 25

Independent claim 25 recites:

25. A method of authorizing a subscriber to access a cable data network at a first level of service and a second level of service, the cable data network providing connectivity between a head end and the subscriber, the method comprising the steps of:

authorizing the subscriber to access the cable data network at the first level of service by comparing first subscriber authentication information with at least part of at least one database; and

authorizing the subscriber to access the cable data network at the second level of service responsive to the first level of service authorization by

comparing second subscriber authentication information with at least part of the at least one database.

(*Emphasis Added*). Applicants respectfully submit that claim 25 patently defines over the proposed combination of *Majeti* and *Kawashima* for at least the reason that the proposed combination of *Majeti* and *Kawashima*, in combination with the knowledge of one skilled in the art, fails to disclose, teach or suggest the features emphasized in bold text above. MPEP §2143.03.

Specifically, neither *Majeti*, nor *Kawashima* discloses, teaches or suggests the feature of “***authorizing the subscriber to access the cable data network at the second level of service responsive to the first level of service authorization by comparing second subscriber authentication information with at least part of the at least one database***” as recited in independent claim 25.

Applicants re-assert and re-allege (as discussed in the Amendment of November 2, 2004) that *Majeti* does not appear to disclose, teach, or suggest any type of authorization beyond the initial login to establish the initial two-way communication link between customer premise equipment 20 and the split channel bridging unit 18 over the public switch telephone network.

However, even assuming, *arguendo*, (and without acquiescing) that the proposed combination of *Majeti* and *Kawashima* discloses “authorizing the subscriber to access the cable data network at the second level of service responsive to the first level of service authorization,” claim 25 is patentable over *Majeti* and *Kawashima* for at least the additional reason that the proposed combination does not authorize the access “***by comparing second subscriber authentication information with at least part of the at least one database***” as recited in amended independent claim 25.

The Office Action apparently alleges that *Majeti* discloses the (previously) claimed feature of “comparing second identification information with at least part of the at least one database” in that *Majeti*, at col. 9, lines 56-66, discloses “*the control processor checks its database and determines that bandwidth capacity is available for the picture information to be transmitted by cable distribution head-end 30N and cable 36*” (*emphasis added*, col. 9, lines 54-57) and that “upon determining that sufficient bandwidth can be made available for this request, the control processor transmits command information to router 42 directing the router to transmit the packet along with additional packets containing related information via cable 44N to modulator 46N which modulates the data onto an RF channel on cable 28N. (*Emphasis added*, col. 9, lines 57-64). However, checking the database to determine “*that bandwidth capacity is available for the picture information to be transmitted*” is not equivalent at all to “*comparing second subscriber authentication information with at least part of the at least one database*” as recited in independent claim 25.

Accordingly, *Majeti* does not disclose authorizing a subscriber to access a second level of service “*by comparing second subscriber authentication information with at least part of the at least one database*” as recited in independent claim 25.

In addition, *Kawashima* does not disclose, teach, or suggest (and the Office Action does not allege *Kawashima* alleges, teaches or suggests) a method of authorizing a subscriber to access a cable data network at a first level of service and a second level of service including a step of authorizing the subscriber to access the second level of service “by comparing second subscriber authentication information with at least part of the at least one database” as recited in claim 25. Rather, *Kawashima* does not appear to disclose any type of authentication mechanisms as part of the described system. Additionally, based on the disclosures of *Kawashima* and

Majeti, one skilled in the art would not be motivated to make the proposed modification.

Accordingly, the rejection to claim 25 should be overturned for at least this additional reason alone.

For at least these reasons, Applicants submit that independent claim 25 is allowable over the proposed combination of *Kawashima* and *Majeti*. Furthermore, because claim 25 is believed to be allowable, dependent claims 26-28, 39-40, and 46 are allowable for at least the same reasons.

Independent Claim 29

Independent claim 29 recites:

29. A method of logging into a cable data network that has a plurality of levels of service, the method comprising the steps of:
logging into the cable data network at a first level of service by sending first subscriber authentication information to at least one validation agent; and
logging into the cable data network at a second level of service responsive to logging into the network at a first level of service by sending second subscriber authentication information to at least one validation agent.

(*Emphasis Added*). Applicants respectfully submit that claim 29 patently defines over the proposed combination of *Majeti* and *Kawashima* for at least the reason that the proposed combination of *Majeti* and *Kawashima*, in combination with the knowledge of one skilled in the art, fails to disclose, teach or suggest the features emphasized in bold text above. MPEP §2143.03.

Specifically, neither *Majeti*, nor *Kawashima* discloses, teaches or suggests the feature of “***logging into the cable data network at a second level of service responsive to logging into the network at a first level of service by sending second subscriber authentication information to at least one validation agent***” as recited in independent claim 29.

Applicants re-assert and re-allege (as discussed in the Amendment of November 2, 2004) that *Majeti* does not appear to disclose, teach, or suggest any type of “logging into” beyond the initial login to establish the initial two-way communication link between customer premise equipment 20 and the split channel bridging unit 18 over the public switch telephone network.

However, even assuming, *arguendo*, (and without acquiescing) that the proposed combination of *Majeti* and *Kawashima* discloses “logging into the cable data network at a second level of service,” claim 29 is patentable over *Majeti* and *Kawashima* for at least the additional reason that the proposed combination does not disclose logging in ***“by sending second subscriber authentication information to at least one validation agent”*** as recited in amended independent claim 29.

The Office Action apparently alleges that *Majeti* discloses the (previously) claimed feature of ***“sending second identification information to at least one validation agent”*** in that *Majeti*, at col. 9, lines 56-66, discloses *“the control processor checks its database and determines that bandwidth capacity is available for the picture information to be transmitted by cable distribution head-end 30N and cable 36”* (*emphasis added*, col. 9, lines 54-57) and that *“upon determining that sufficient bandwidth can be made available for this request, the control processor transmits command information to router 42 directing the router to transmit the packet along with additional packets containing related information via cable 44N to modulator 46N which modulates the data onto an RF channel on cable 28N.* (*Emphasis added*, col. 9, lines 57-64). However, checking the database to determine *“that bandwidth capacity is available for the picture information to be transmitted”* is not equivalent at all to ***“sending second subscriber authentication information to at least one validation agent”*** as recited in independent claim 29.

Accordingly, *Majeti* does not disclose logging into the cable data network at a second level of service “***by sending second subscriber authentication information to at least one validation agent***” as recited in amended independent claim 29.

In addition, *Kawashima* does not disclose, teach, or suggest (and the Office Action does not allege *Kawashima* alleges, teaches or suggests) a method of logging into a cable data network that has a plurality of levels of service including a step of logging into the cable data network at a second level of service “***by sending second subscriber authentication information to at least one validation agent.***” Additionally, based on the disclosures of *Kawashima* and *Majeti*, one skilled in the art would not be motivated to make the proposed modification. Accordingly, the rejection to claim 29 should be overturned for at least this additional reason alone.

For at least these reasons, Applicants submit that independent claim 29 is allowable over the proposed combination of *Kawashima* and *Majeti*. Furthermore, because claim 29 is believed to be allowable, dependent claims 30-32, 41-42, and 47 are allowable for at least the same reasons.

Dependent Claims 2-13, 15-20, 22-24, 26-28, and 30-47

Applicants submit that the §103 rejection to dependent claims 2-13, 15-20, 22-24, 26-28, and 30-47 is rendered moot in light of any of the arguments made above and, therefore, claims 2-13, 15-20, 22-24, 26-28, and 30-47 are allowable as a matter of law for at least the reason that claims 2-13, 15-20, 22-24, 26-28, and 30-47 contains all the features and element of its corresponding independent claim.

II. References Made of Record

The references made of record have been considered, but are not believed to affect the patentability of the presently pending claims.

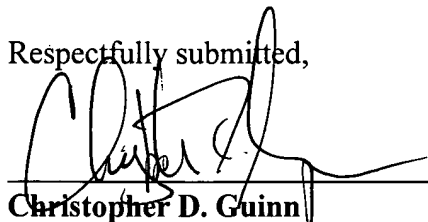
CONCLUSION

The Applicants respectfully submit that all claims are now in condition for allowance, and request that the Examiner pass this case to issuance. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

No fee is believed to be due in connection with this response. If, however, any fee is deemed to be payable, you are hereby authorized to charge any such fee to Deposit Account No. 20-0778.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher D. Guinn", is written over a horizontal line.

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